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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 MARTIN SATERSTAD and  
8 RICHARD SATERSTAD,

9 Plaintiff(s),

10 v.

11 STATE OF NEVADA, et al.,

12 Defendant(s).

Case No. 2:16-CV-1702 JCM (GWF)

ORDER

13  
14 Presently before the court is Magistrate Judge Foley's report and recommendation. (ECF  
15 No. 4). No objections have been filed, and the deadline for filing objections has since passed.

16 This court "may accept, reject, or modify, in whole or in part, the findings or  
17 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
18 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
19 determination of those portions of the [report and recommendation] to which objection is made."  
20 28 U.S.C. § 636(b)(1).

21 Where a party fails to object, however, the court is not required to conduct "any review at  
22 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149  
23 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
24 magistrate judge's report and recommendation where no objections have been filed. *See United*  
25 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review  
26 employed by the district court when reviewing a report and recommendation to which no  
27 objections were made).

1 Magistrate Judge Foley recommended that plaintiff's claims against the state of Nevada  
2 and the prosecutors at the district attorney's office be dismissed with prejudice for failure to state  
3 a claim upon which relief can be granted. Plaintiff has not objected to the report and  
4 recommendation. Nevertheless, this court finds it appropriate to engage in a *de novo* review to  
5 determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the  
6 recommendation and underlying briefs, the court finds that good cause appears to adopt the  
7 magistrate judge's findings.<sup>1</sup>

8 Accordingly,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge  
10 Foley's report and recommendation (ECF No. 4) be, and the same hereby is, ADOPTED in its  
11 entirety.

12 IT IS FURTHER ORDERED that plaintiff's claims against the state of Nevada and the  
13 prosecutors at the district attorney's office be DISMISSED WITH PREJUDICE.

14 DATED January 23, 2018.

15   
16 UNITED STATES DISTRICT JUDGE

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27 <sup>1</sup> Magistrate Judge Foley's order also addressed plaintiff's motion to proceed *in forma*  
28 *pauperis*. Thereafter, plaintiff filed an amended motion to proceed *in forma pauperis* (ECF Nos.  
6, 7), and Magistrate Judge Foley granted the amended motion (ECF No. 8). Accordingly, the  
court need not address those issues in this order.